

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CAMERON JAMES ZIMMERMAN,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:23-CV-220
)	
DANIEL J. LEEK, et al,)	
)	
Defendants.)	

MEMORANDUM ORDER

This action was received by the Clerk of Court on July 24, 2023. The matter was assigned and later referred to Chief United States Magistrate Judge Richard A. Lanzillo, for report and recommendation in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

Plaintiff alleges that Defendants violated his constitutional rights under the Fourth, Sixth, Eighth, and Fourteenth Amendments by effectuating an unlawful search and seizure and subjecting him to malicious prosecution, false arrest, false imprisonment, and cruel and unusual punishment. In response to the complaint, Defendants filed a motion to dismiss. ECF No. 18.

On July 18, 2024, Judge Lanzillo issued a Report and Recommendation recommending that the motion to dismiss be granted and that this action be dismissed without prejudice pending the outcome of Plaintiff's state court criminal proceedings. ECF No. 24. As of today's date, no objections to the Report and Recommendation have been filed.

Regardless of whether timely objections are made, district courts may accept, reject, or modify—in whole or in part—the magistrate judge's findings or recommendations. 28 U.S.C. §

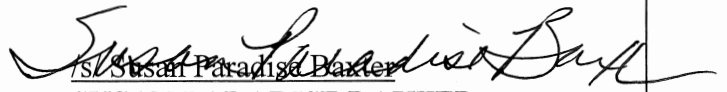
636(b)(1); Local Rule 72(D)(2). After *de novo* review of the complaint and documents in the case, together with the report and recommendation, the following order is entered:

AND NOW, this 7th day of August 2024;

IT IS ORDERED that the motion to dismiss [ECF No. 18] is granted. This dismissal is without prejudice.

AND, IT IS FURTHER ORDERED that the report and recommendation of Chief Magistrate Judge Lanzillo, issued on July 18, 2024 [ECF No. 24] is adopted as the opinion of the court.

The Clerk is directed to mark this case closed.


SUSAN PARADISE BAXTER
United States District Judge